

AMENDMENT NO. _____ Calendar No. _____

Purpose: To modify a provision relating to subpoenas issued by the Commission.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 1723

To establish the Truth and Healing Commission on Indian Boarding School Policies in the United States, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. DAINES

Viz:

1 On page 24, strike lines 12 through 17 and insert
2 the following:

3 (ii) NOTIFICATION.—

4 (I) IN GENERAL.—Not later than
5 10 days before the date on which the
6 Commission issues a subpoena under
7 clause (i), the Commission shall sub-
8 mit to the Attorney General a con-
9 fidential, written notice of the intent
10 to issue the subpoena.

1 (II) SUBPOENA PROHIBITED BY
2 ATTORNEY GENERAL.—

3 (aa) IN GENERAL.—The At-
4 torney General, on receiving a
5 notice under subclause (I), may,
6 on a showing of a procedural or
7 substantive defect, and after the
8 Commission has a reasonable op-
9 portunity to cure, prohibit the
10 issuance of the applicable sub-
11 poena described in that notice.

12 (bb) NOTIFICATION TO CON-
13 GRESS.—On prohibition of the
14 issuance of a subpoena under
15 item (aa), the Attorney General
16 shall submit to Congress a report
17 detailing the reasons for that
18 prohibition.